

**STATE OF RHODE ISLAND  
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

**PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to adopt the following DCYF rule:

**LOCK UP**

This new rule, in compliance with the federal court order relating to RI Training School residents and the accreditation standards of the American Correctional Association for Juvenile Training Schools and Juvenile Detention Facilities, provides that staff employ the least restrictive discipline measures possible and the circumstances under which Lock Up can be used.

In the development of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This proposed rule is accessible on the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>) and the DCYF website (<http://www.dcyf.ri.gov>) or available in hard copy upon request (401 528-3685). Interested persons should submit data, views or written comments by April 5, 2010 Susan Bowler, Administrator for Families and Children, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 ([Susan.Bowler@dcyf.ri.gov](mailto:Susan.Bowler@dcyf.ri.gov)).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

# **Lock Up**

Rhode Island Department of Children, Youth and Families  
Division of Juvenile Correctional Services: RI Training School

**Policy: 1200.1307**

**Effective Date:**

**Version: 1**

The Division utilizes the concept of progressive discipline and employs the least restrictive discipline measures possible. Lock Up is used only after all other means of discipline have been taken and pursuant to a Major Discipline Review.

## **Related Procedure**

Lock Up

## **Related Policy**

Incentive System - Points and Levels  
Discipline for Academic and Vocational Classes  
Behavior Report  
Major Discipline Review  
Administrative Classification to Restrictive Status  
Crisis Intervention and the Use of Restraint  
Resident Handbook

## **Lock Up**

### **Procedure from Policy 1200.1307: Lock Up**

- A. A resident may be remanded to his/her room (Lock Up) for up to five (5) days pursuant to a Major Discipline Review Board.
- B. Lock Up prior to the Major Discipline Board is only allowed in an emergency, which jeopardizes the safety and security of residents and/or staff, and which must be ordered in each and every case by the Superintendent or Administrator on Call.
- C. A resident may be remanded to Lock Up with or without privileges.
- D. Staff ensure that Major Discipline Board decisions/penalties are implemented.
  - 1. Staff are notified of a resident's Lock Up status by the Major Discipline Board Chairman who completes the Discipline Report Part II in RICHIST and forwards it to the unit.
  - 2. Staff receiving such a report records the Lock Up, including the duration, in the Unit Lock Up Log and files the report in the place designated by the Unit Manager.
  - 3. At the beginning of each shift, staff review the reports and check the Unit Log Book and the Unit Lock Up Log.
- E. Staff monitor residents placed in their rooms on Lock Up status at fifteen (15) minute intervals in compliance with DCYF Policy 1200.0839, Fifteen Minute Room Checks.
- F. As soon as possible, the unit Clinical Social Worker visits a resident who has been placed in Lock Up status and secure necessary psychiatric, counseling, clinical or educational services.
- G. At least once per day while in Lock Up, a resident is seen by the unit Clinical Social Worker or other clinical staff.
  - 1. Actual entry into the room of confinement with the juvenile or removal of the juvenile from the room for the purpose of discussion or counseling constitutes a visit.
  - 2. The Unit Lock Up Log records the name and title of the person(s) visiting residents in Lock Up status.
- H. The Unit Manager visits any resident who has been placed in Lock Up status regularly.
- I. Staff ensure that Lock Up time never exceeds the time that is ordered by the Major Discipline Board. Staff log the name of the staff member and the time of release of the resident from his/her room in the Unit Log Book and Unit Lock Up Log.
- J. In some cases, residents demonstrate substantial progress in behavior and attitude that allows early release from Lock Up.
  - 1. The decision to recommend early release from Lock Up is made by the Unit Manager and Clinical Social Worker, the Unit Treatment Team.
  - 2. The Unit Treatment Team makes this recommendation with an explanation to the Superintendent or designee.
  - 3. If the Superintendent or designee approves, the Treatment Team notes the approval and the reason in the resident's electronic record.
  - 4. The release is documented in the Unit Log Book and Unit Lock Up Book.
- K. Staff ensure that all residents in Lock Up status are provided with at least the following:
  - 1. Daily showers;
  - 2. Hot meals served outside the resident's room;
  - 3. Medical care;
  - 4. Reasonable access to phones to contact attorneys, parents or guardians;
  - 5. Mail privileges;

6. Religious observance;
7. Large muscle group exercise;
8. Visitation;
9. Writing materials;
10. Sufficient clothing;
11. Clean and sufficient bedding;
12. Personal hygiene supplies; and
13. Education, counseling, psychological and psychiatric services which are court ordered and/or part of the resident's Service Plan (Individual Treatment Plan).

L. Staff ensure that residents on Lock Up status do not participate in off-grounds activities.

M. The Superintendent or designee reviews the status of residents confined to Lock Up daily.

N. The use of handcuffs on residents on Lock Up status is strictly prohibited as punishment and may only be used when necessary for safety reasons in compliance with DCYF Policy 1200.0832: Crisis Intervention and the Use of Restraint.

O. Paragraphs A - N are consistent with American Correctional Association Standards 3-JDF-3C-02; 3-JTS-3C-02; 3-JDF-3C-06; 3-JTS-3C-06; 3-JDF-3C-07; 3-JTS-3C-07; 3-JDF-3C-08; 3-JTS-3C-08; 3-JDF-3C-10; 3-JTS-3C-10; 3-JDF-3C-11; 3-JTS-3C-11; 3-JDF-3C-12; 3-JTS-3C-12; 3-JDF-3C-13; 3-JTS-3C-13; 3-JDF-3C-14; 3-JTS-3C-14; 3-JDF-3C-15; 3-JTS-3C-15; 3-JDF-3C-16; 3-JTS-3C-16; 3-JDF-3C-17; 3-JTS-3C-17; 3-JDF-3C-18; 3-JTS-3C-18; 3-JDF-3C-19; 3-JTS-3C-19; 3-JDF-3C-20; 3-JTS-3C-20; 3-JDF-3C-21; 3-JTS-3C-21; 3-JTS-3C-22; 3-JTS-3C-23; 3-JTS-3C-24; 3-JDF-3E-01; 3-JTS-3E-01; 3-JDF-3E-02; 3-JTS-3E-02; 3-JDF-3E-03; 3-JTS-3E-03; 3-JDF-3E-04; 3-JTS-3E-04; 3-JDF-3E-05; 3-JTS-3E-05; 3-JDF-3A-06; 3-JTS-3A-06 and 3-JDF-3A-09.